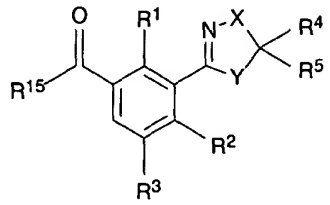
APPENDIX II:

THE AMENDED CLAIMS (clean version):

1. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I



I

where the variables have the following meanings:

R^1, R^2 are hydrogen, nitro, halogen, cyano, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, C_1-C_6-alkylthio, C_1-C_6-haloalkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-haloalkylsulfinyl, C_1-C_6-alkylsulfonyl or C_1-C_6-haloalkylsulfonyl;

R^3 is hydrogen, halogen or C_1-C_6-alkyl;

R^4, R^5 are hydrogen, halogen, cyano, nitro, C_1-C_4-alkyl, C_1-C_4-alkoxy-C_1-C_4-alkyl, di(C_1-C_4-alkoxy)-C_1-C_4-alkyl, di(C_1-C_4-alkyl)-amino-C_1-C_4-alkyl, [2,2-di(C_1-C_4-alkyl)-1-hydrazino]-C_1-C_4-alkyl, C_1-C_6-alkyliminooxy-C_1-C_4-alkyl, C_1-C_4-alkoxycarbonyl-C_1-C_4-alkyl, C_1-C_4-alkylthio-C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-cyanoalkyl, C_3-C_8-cycloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, hydroxyl, C_1-C_4-alkylcarbonyloxy, C_1-C_4-alkylthio, C_1-C_4-haloalkylthio, di(C_1-C_4-alkyl)amino, COR^6, phenyl or benzyl, it being possible for the two last-mentioned substituents to be fully or partially halogenated and/or to have attached to them one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy; or

R^4 and R^5 together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl; or

R^4 and R^5 together with the corresponding carbon form a carbonyl or thiocarbonyl group;

R^6 is hydrogen, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, C_3-C_6-alkenyloxy, C_3-C_6-alkynyloxy or NR^7R^8;

R^7 is hydrogen or C_1-C_4-alkyl;

R^8 is C_1-C_4-alkyl;

X is O, S, NR^9, CO or $CR^{10}R^{11}$;

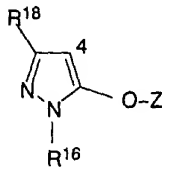
Y is O, S, NR^{12} or CO;

R^9, R^{12} are hydrogen or C_1-C_4-alkyl;

R^{10}, R^{11} are hydrogen, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxycarbonyl, C_1-C_4-haloalkoxycarbonyl or $CONR^7R^8$; or

R^4 and R^9 or R^4 and R^{10} or R^5 and R^{12} together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl;

R^{15} is a pyrazole of the formula II which is linked in the 4-position



II

where

R^{16} is C_1-C_6-alkyl;

Z is H or SO_2R^{17};

R^{17} is C_1-C_4-alkyl, C_1-C_4-haloalkyl, phenyl or phenyl which is partially or fully halogenated and/or has attached to it one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy;

R^{18} is hydrogen or c_1-C_6-alkyl;

where X and Y are not simultaneously sulfur;

with the exception of

4-[2-chloro-3-(4,5-dihydrothiazol-2-yl)-4-methylsulfonylbenzoyl]--1,3-dimethyl-5-hydroxy-1H-pyrazole and

4-[2-chloro-3-(thiazoline-4,5-dione-2-yl)-4-methylsulfonylbenzoyl]-1,3-dimethyl-5-hydroxy-1H-pyrazole;

or an agriculturally useful salt thereof.

2. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I where the variables have the following meanings:

R^1, R^2 are hydrogen, nitro, halogen, cyano, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, C_1-C_6-alkylthio, C_1-C_6-haloalkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-haloalkylsulfinyl, C_1-C_6-alkylsulfonyl or C_1-C_6-haloalkylsulfonyl;

R^3 is hydrogen, halogen or C_1-C_6-alkyl;

R^4, R^5 are hydrogen, halogen, cyano, nitro, C_1-C_4-alkyl, C_1-C_4-alkoxy-C_1-C_4-alkyl, di(C_1-C_4-alkoxy)-C_1-C_4-alkyl, di(C_1-C_4-alkyl)-amino-C_1-C_4-alkyl, [2,2-di(C_1-C_4-alkyl)-1-hydrazino]-C_1-C_4-alkyl, C_1-C_6-alkyliminooxy-C_1-C_4-alkyl, C_1-C_4-alkoxycarbonyl-C_1-C_4-alkyl, C_1-C_4-alkylthio-C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-cyanoalkyl, C_3-C_8-cycloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, C_1-C_4-alkylthio, C_1-C_4-haloalkylthio, di(C_1-C_4-alkyl)amino, COR^6, phenyl or benzyl, it being possible for the two last-mentioned substituents to be fully or partially halogenated and/or to have attached to them one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy; or

R^4 and R^5 together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl; or

R^4 and R^5 together with the corresponding carbon form a carbonyl or thiocarbonyl group;

R^6 is C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, C_3-C_6-alkenyloxy, C_3-C_6-alkynyloxy or NR^7R^8;

R^7 is hydrogen or C_1-C_4-alkyl;

R^8 is C_1-C_4-alkyl;

X is O, S, NR^9, CO or $CR^{10}R^{11}$;

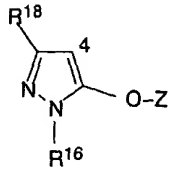
Y is O, S, NR^{12} or CO;

R^9, R^{12} are hydrogen or C_1-C_4-alkyl;

R^{10}, R^{11} are hydrogen, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxycarbonyl, C_1-C_4-haloalkoxycarbonyl or $CONR^7R^8$; or

R^4 and R^9 or R^4 and R^{10} or R^5 and R^{12} together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl;

R^{15} is a pyrazole of the formula II which is linked in the 4-position



II

where

R^{16} is C_1-C_6-alkyl;

Z is H or SO_2R^{17};

R^{17} is C_1-C_4-alkyl, C_1-C_4-haloalkyl, phenyl or phenyl which is partially or fully halogenated and/or has attached to it one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy;

R^{18} is hydrogen or c_1-C_6-alkyl;

where X and Y are not simultaneously sulfur;

with the exception of

4-[2-chloro-3-(4,5-dihydrothiazol-2-yl)-4-methylsulfonylbenzoyl]--1,3-dimethyl-5-hydroxy-1H-pyrazole and

4-[2-chloro-3-(thiazoline-4,5-dione-2-yl)-4-methylsulfonylbenzoyl]-1,3-dimethyl-5-hydroxy-1H-pyrazole;

or an agriculturally useful salt thereof.

3. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where R^3 is hydrogen.

4. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where

R^1, R^2 are nitro, halogen, cyano, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, C_1-C_6-alkylthio, C_1-C_6-haloalkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-haloalkylsulfinyl, C_1-C_6-alkylsulfonyl or C_1-C_6-haloalkylsulfonyl.

5. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where Z is SO_2R^{17}.

6. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where Z is hydrogen.

7. (*canceled*)

8. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where

R^4 is halogen, nitro, C_1-C_4-alkyl, C_1-C_4-alkoxy-C_1-C_4-alkyl, C_1-C_4-alkoxycarbonyl-C_1-C_4-alkyl, C_1-C_4-alkylthio-C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-cyanoalkyl, C_3-C_8-cycloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, C_1-C_4-alkylthio, C_1-C_4-haloalkylthio, di(C_1-C_4-alkyl)amino, COR^6, phenyl or benzyl, it being possible for the two last-mentioned substituents to be partially or fully halogenated and/or to have attached to them one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy;

R^5 is hydrogen or C_1-C_4-alkyl; or

R^4 and R^5 together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl.

9. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where

R^4 is C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxycarbonyl or $CONR^7R^8$;

R^5 is hydrogen or C_1-C_4-alkyl; or

R^4 and R^5 together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl.

10. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where R^4 and R^5 are hydrogen.

11. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where R^{18} is hydrogen.

12. (*canceled*)

13. (*canceled*)

14. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where

X is S, NR^9, CO or $CR^{10}R^{11}$.

15. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where R^{18} is hydrogen.

16. (*amended*) A 3-heterocyclyl-substituted benzoyl compound of formula I as claimed in claim 1 or 2, where

R^4 is halogen, cyano, nitro, C_1-C_4-alkyl, C_1-C_4-alkoxy-C_1-C_4-alkyl, C_1-C_4-alkoxycarbonyl-C_1-C_4-alkyl, C_1-C_4-alkylthio-C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-cyanoalkyl, C_3-C_8-cycloalkyl, C_1-C_4-alkoxy, C_1-C_4-alkoxy-C_2-C_4-alkoxy, C_1-C_4-haloalkoxy, C_1-C_4-alkylthio, C_1-C_4-haloalkylthio, di(C_1-C_4-alkyl)amino, COR^6, phenyl or benzyl, it being possible for the two last-mentioned substituents to be partially or fully halogenated and/or to have attached to them one to three of the following groups: nitro, cyano, C_1-C_4-alkyl, C_1-C_4-haloalkyl, C_1-C_4-alkoxy or C_1-C_4-haloalkoxy;

R^5 is hydrogen or C_1-C_4-alkyl; or

R^4 and R^5 together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl; or

R^4 and R^9 or R^4 and R^{10} or R^5 and R^{12} together form a C_2-C_6-alkanediyl chain which can be mono- to tetrasubstituted by C_1-C_4-alkyl and/or which can be interrupted by oxygen or by a nitrogen which is unsubstituted or substituted by C_1-C_4-alkyl;

R^{18} is C_1-C_6-alkyl.

17. (*canceled*)

18. (*canceled*)

19. (*canceled*)

20. (*canceled*)

21. (*amended*) A composition comprising a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoyl compound of formula I as defined in claim 1 or 2 or of an agriculturally useful salt thereof, and auxiliaries conventionally used for the formulation of crop protection products.

22. (*amended*) A process for the preparation of the composition defined in claim 21, which comprises mixing a herbicidally active amount

of at least one 3-heterocyclyl-substituted benzoyl compound of formula I or of the agriculturally useful salt thereof and auxiliaries conventionally used for the formulation of crop protection products.

23. (*amended*) A method of controlling undesirable vegetation, which comprises allowing a herbicidally active amount of at least one 3-heterocyclyl-substituted benzoyl compound of formula I as defined in claim 1 or 2 or of an agriculturally useful salt thereof to act on plants, their environment and/or on seeds.

APPENDIX III:

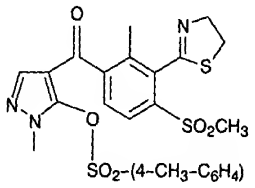
TEST REPORT:

The herbicidal effectivity of the compounds as well as the tolerance of crop plants to treatment with the compounds was investigated in green house experiments as described on page 159, indicated line 14, to page 160, indicated line 9, of the application. The following plants were employed:

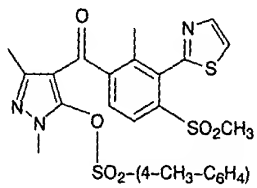
Scientific Name	Common Name
Amaranthus retroflexus	Pigweed
Chenopodium alba	Lambsquaters
Echinochloa crus-galli	Barnyardgrass
Triticum aestivum	Spring wheat

The compounds were applied post emergence at application rates of 250 g/ha and 125 g/ha of active ingredient. The following compounds served as active ingredients:

Applicants' compound No. 1b23.18:



Von Deyn et al.'s compound 1.158:



The results are compiled in the following table which indicated the damage to the treated plants in percent:

	Applicants' compound No. 1b23.18		Compound 1.158 of US 5,846,907	
	250 g/ha	125 g/ha	250 g/ha	125 g/ha
Crop plant:				
Triticum aestivum	0	0	95	85
Unwanted plant:				
Amaranthus retroflexus	98	95	98	98
Chenopodium alba	98	98	98	98
Echinochloa crus-galli	98	98	98	98

The results of the investigations clearly demonstrate the excellent herbicidal effectivity of the compounds defined in applicants' Claim 1. More particularly, applicants' compound 1b23.18 exhibits an excellent control of unwanted plants and, at the same time, does not harm the crop plant whereas the prior art compound damages the crop plant to almost the same degree as it damages the unwanted plants.